

REMARKS

Claims 8-12 and 14 are pending. Claim 14 is allowed and claims 8-12 stand rejected.

According to the Office Action, claims 8-11 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5,694,608 (hereinafter “Shostak”) in view of U.S. Patent 5,495,607 (hereinafter “Pisello”). Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Shostak as applied to claim 8 and further in view of U.S. Patent 4,888,798 (hereinafter “Earnest”).

In response, the rejections are respectfully traversed as lacking sufficient factual support and failing to establish a prima facie case of obviousness in accordance with the established cases and statutory law.

Applicant’s claim 1 recites: “upon receiving a request to perform a function using said content, checking said initial set of data representing usage rights to determine whether said function should be allowed, and wherein a drag and drop function is among those that are not permitted.”

The Examiner conceded that “Shostak does not teach that a drag and drop function is among those that are not permitted.” However, Pisello, col. 18, lines 47-63 is pointed to as allegedly teaching that the ability to utilize a drag-and-drop operation is dependent on evaluation of permission data associated with the content data (see page 3 of the Office Action).

However, a review of Pisello, particularly col. 18, lines 47-63, does not find support for this assertion on page 3 of the Office Action. In fact Pisello teaches “the user then drags-and-drops a copy of the highlighted block into a directory entry of a second server, which directory entry is also shown on the screen. Depending on the context, the domain administrating server (DAS) 150 can responsively issue appropriate permissions to allow the corresponding transfer to

take place immediately across the network-linking backbone 105 or at a scheduled later time.”

Thus, Pisello is not teaching that a drag-and-drop function is not permitted, but is describing that the transfer can either be done immediately or scheduled for a later time. In either case the transfer is permitted and performed. Furthermore, contrary to the assertions in the Office Action Pisello does not teach “operation is dependent on evaluation of permission data associated with the content data,” Pisello col. 18, lines 54-55 states “[d]epending on the context” (emphasis added).

It is respectfully submitted, the combination of references fail to teach or suggest, among other things, applicant’s feature of “wherein a drag and drop function is among those that are not permitted,” in claim 8. Thus, claim 8 is distinguishable over the prior art of record.

In addition, it’s asserted in the Office Action that Shostak teaches, at col. 15, lines 55-67, the claimed “upon receiving a request to perform a function using said content, checking said initial set of data representing usage rights to determine whether said function should be allowed.”

However, a review of Shostak finds a completely different feature than that claimed by applicant. Shostak describes that a user can lock a document, thereby “graying out” or disabling tools. Nowhere does Shostak suggest receiving of a request and checking an initial set of data representing usage rights. Shostak, upon a user command, simply disables the tools. When the tools are disabled, if a user attempts to use a tool, there is no checking an initial set of data representing usage rights, as in claim 8. In Shostak the user simply cannot use the tool since it is “grayed out.” Thus, in contrast to applicant’s claim 8, Shostak has disabled the tools according to a prior user action of locking the design of a document and there is no suggestion of receiving of a request and checking an initial set of data representing usage rights. Shostak fails to teach or

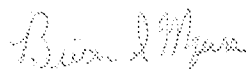
suggest the features of claim 8 and the rejection should be withdrawn.

Claims 9-12 depend from independent claim 8, which has been shown to be allowable over the prior art references. Accordingly, claims 9-12 are also allowable by virtue of their dependency, as well as the additional subject matter recited therein. Applicant submits that the reason for the rejection of claims 9-12 has been overcome and respectfully requests withdrawal of the rejection and allowance of the claims.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited. However, if for any reason this application is not considered to be in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney at the number listed below prior to issuing a further Action.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,



Brian S. Myers
Registration No.: 46,947
For Larry Liberchuk,
Registration No. 40,352

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Mail all correspondence to:

Larry Liberchuk, Registration No. 40,352
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914)333-9602
Fax: (914)332-0615